

## CHAPTER 914

## S.B. No. 1334

## AN ACT

relating to the rulemaking authority of the Texas Water Commission regarding underground water.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 28.011, Water Code, is amended to read as follows:

Sec. 28.011. UNDERGROUND WATER: REGULATIONS. *Except as otherwise provided by this code, the [The] commission may [shall] make and enforce rules and regulations for [conserving,] protecting and[,] preserving the quality of[, and distributing] underground[, subterranean, and percolating] water [located in this state and shall do all other things necessary for these purposes].*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 28, 1993: Yeas 31, Nays 0; passed the House on May 22, 1993, by a non-record vote.

Approved June 19, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.

## CHAPTER 915

## S.B. No. 1416

## AN ACT

relating to state indemnification of and liability insurance premiums for certain health care claims.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 5.15-4, Insurance Code, is amended to read as follows:

Art. 5.15-4. REDUCTION IN CERTAIN PROFESSIONAL LIABILITY INSURANCE PREMIUMS

Sec. 1. DEFINITIONS. In this article, "charity care or services," "eligible health care liability [medical malpractice] claim," "health care professional," "health center," "health clinic," "insurer," "health care liability [medical malpractice] claim," and "patient encounter" have the meanings assigned by Section 110.001, Civil Practice and Remedies Code.

Sec. 2. QUALIFICATION FOR DISCOUNT. A health care professional, [or] health center, or health clinic is entitled to a premium discount for medical professional liability insurance coverage if the professional, [or] center, or health clinic meets the criteria stated in Section 4 of this article.

Sec. 3. AMOUNT OF PREMIUM DISCOUNT. The Texas Department [State Board] of Insurance shall approve premium discounts to be used by each insurer on premiums to be charged to a health care professional, [or] health center, or health clinic covered by this section. Each insurer shall file proposed premium discounts and any loss and statistical data required by department [board] rule. The insurer has the burden of demonstrating to the department [board], by a preponderance of the evidence, that the proposed premium discount is adequate to reflect the reduction in the insurer's liability exposure based on the state's indemnification of the first \$100,000 or \$25,000 under Chapter 110, Civil Practice and Remedies Code, of an eligible malpractice claim against a health care professional, [or] health center, or health clinic. The information required to be filed with the Texas Department